

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
*Richmond Division***

IN RE:)
)
CIRCUIT CITY STORES, INC. et al.,) CHAPTER 11
)
)
Debtors.) Case No. 08-35653 (KRH)
)

**OPPOSITION TO DEBTORS' NINETEENTH OMNIBUS OBJECTION TO
CLAIM NUMBERS 2290, 12394, 13002, AND 13007 FILED BY THE COUNTY
OF HENRICO, VIRGINIA**

COMES NOW, the County of Henrico, Virginia (the "County"), by counsel, and files its Opposition to the Debtors' Nineteenth Objection to its proof of claims (Claim Nos. 2290¹, 12394, 13002² and 13007³) based on the following:

9900 West Broad Street: Claim No. 2290

1. On January 2, 2009, the County filed a secured proof of claim (no. 2290) electronically in the amount of \$532.40 for pre-petition utility service provided to 9900 West Broad Street, Richmond, Virginia.
2. The Debtors objected to the County's claim no. 2290 asserting that the claim for utility service should be treated as general unsecured.
3. Pursuant to Va. Code §§15.2-2118 et seq. and Henrico County Code § 23-285, utility service debts are a lien against the property served.

¹ Claim number 2290 was previously assigned claim no 63.

² Claim number 13002 was previously assigned claim numbers 75, 2247, and 12394.

³ Claim number 13007 was previously assigned claim numbers 2254 and 12395.

4. The utility debt reflected in claim no. 2290 is secured to the extent of the Debtors' ownership or its lease obligations related to 9900 West Broad Street.

5. If Debtors do not have an ownership interest in this property, the County agrees that the debt would be unsecured against the Debtors and secured against the Debtors' landlord.

9954 Mayland Drive: Claim Nos. 13002 and 12394⁴

6. On January 2, 2009, the County filed a secured proof of claim electronically in the amount of \$10,868.69 for pre-petition utility service provided to 9954 Mayland Drive, Richmond, Virginia and the County amended this claim on April 30, 2009 for \$10,888.32.

7. The Debtors objected to the County's claim no. 13002 asserting that the claim for utility service should be treated as general unsecured.

8. Pursuant to Va. Code §§15.2-2118 et seq. and Henrico County Code § 23-285, utility service debts are a lien against the property served.

9. The utility debt reflected in claim no. 13002 is secured to the extent of the Debtors' ownership or its lease obligations related to 9954 Mayland Drive West Broad Street.

10. If Debtors do not have an ownership interest in this property, the County agrees that the debt would be unsecured against the Debtors and secured against the Debtors' landlord.

⁴ Claim numbers 13002 and 12394 refer to the same claim.

9950 Mayland Drive: Claim No. 13007

11. On January 2, 2009, the County filed a secured proof of claim electronically in the amount of \$10,064.39 for pre-petition utility service provided to 9950 Mayland Drive, Richmond, Virginia and the County amended this claim on April 30, 2009 for \$13,053.59 (claim no. 13007).

12. The Debtors objected to the County's claim no. 13007 asserting that the claim for utility service should be treated as general unsecured.

13. Pursuant to Va. Code §§15.2-2118 et seq. and Henrico County Code § 23-285.

14. The utility debt reflected in claim no. 13007 is secured to the extent of the Debtors' ownership or its lease obligations related to 9950 Mayland Drive.

15. If Debtors do not have an ownership interest in this property, the County agrees that the debt would be unsecured against the Debtors and secured against the Debtors' landlord.

WHEREFORE, the County prays that this Honorable Court enter an Order allowing the County's claims numbers 2290, 13002 and 13007 as secured to the extent of the Debtors' equity in the real property that was served with the claimed utility charges and unsecured to the extent that the charges exceed the Debtors equity or lease obligations in the property and requiring that the Debtors promptly pay these claims with interest and that the County be awarded its expenses and fees incurred in defending this objection.

Dated: July 14, 2009

Respectfully Submitted,
County of Henrico, Virginia
By:/s/ Rhysa Griffith South
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing *Opposition to the Debtors' Nineteenth Omnibus Objection to Claim Numbers 2290, 12394, 13002 and 13007* was filed electronically with the court via the CM/ECF system on the 14th day of July, 2009 and first-class mail to the following:

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United States Bankruptcy Court
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